

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JACKIE E. JACKSON,

Defendant Below-
Appellant,

v.

STATE OF DELAWARE,

Plaintiff Below-
Appellee.

§

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§ No. 493, 2009

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§ Court Below—Superior Court

§ of the State of Delaware,

§ in and for Sussex County

§ Cr. ID. 0107021899

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Submitted: October 19, 2009

Decided: January 12, 2010

Before **BERGER, JACOBS**, and **RIDGELY**, Justices.

ORDER

This 12th day of January 2010, after careful consideration of appellant's opening brief and the State's motion to affirm, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court's well-reasoned decision dated August 7, 2009. The Superior Court did not err in concluding that appellant's fourth motion for postconviction relief was untimely and repetitive and that appellant had failed to overcome these procedural hurdles.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Jack B. Jacobs

Justice